

**MINUTES OF LAYTON CITY  
COUNCIL MEETING**

**MAY 19, 2016; 7:00 P.M.**

**MAYOR AND COUNCILMEMBERS  
PRESENT:**

**MAYOR BOB STEVENSON, JOYCE BROWN,  
BRUCE DAVIS, TOM DAY, SCOTT FREITAG AND  
JOY PETRO**

**STAFF PRESENT:**

**ALEX JENSEN, GARY CRANE, TERRY COBURN,  
DAVID PRICE, RYAN PICKUP, JOELLEN  
GRANDY, PETER MATSON, KENT ANDERSEN  
AND THIEDA WELLMAN**

**The meeting was held in the Council Chambers of the Layton City Center.**

Mayor Stevenson opened the meeting and led the Pledge of Allegiance. Councilmember Brown gave the invocation. Scouts and students were welcomed.

**MINUTES:**

**MOTION:** Councilmember Davis moved and Councilmember Brown seconded to approve the minutes of:

**Layton City Council Work Meeting – April 21, 2016;  
Layton City Council Meeting – April 21, 2016;  
Layton City Council Budget Work Meeting – May 2, 2016;  
Layton City Council Work Meeting – May 5, 2016; and  
Layton City Council Meeting – May 5, 2016.**

The vote was unanimous to approve the minutes as written.

**MUNICIPAL EVENT ANNOUNCEMENTS:**

Councilmember Brown indicated that on Monday, May 23rd from 4:00 p.m. to 8:00 p.m. the Family Recreation Program would be sponsoring a family golf night at Swan Lakes Golf Course. She said there would be reduced rates for golf and the batting cages; and for a hamburger, chips and a drink.

Councilmember Brown said on June 4th the Go 'n Play Day would be held for elementary age students at Ellison Park. She said it would include games and activities, and would end with mud, suds and flood. Councilmember Brown said this was a fun activity and began the Go 'n Play program that encouraged kids to play outside.

Councilmember Petro indicated that the Davis Arts Council received the “Best in Show” award for the community arts program in the State of Utah.

Mayor Stevenson said the awards ceremony was held at the Salt Palace last evening; this was a very impressive award for the Davis Arts Council to receive.

**PRESENTATIONS:**

**PROCLAMATION – 2015-2016 LAYTON HIGH SCHOOL GIRLS VARSITY BASKETBALL  
TEAM**

Mayor Stevenson had Coach Price come forward. He said it was pretty cool to have this take place in the City; the young ladies' basketball team didn't lose a game all year. Mayor Stevenson said these were

beautiful young ladies; they received no technical fouls through the year. He said they had a great coach.

Mayor Stevenson read a proclamation recognizing the Girls Varsity Basketball Team for being undefeated in the season and ranked #1 in the State, and #16 nationally by USA Today.

Coach Price said it was a fabulous year; when you had good athletes and good people it didn't take a lot of coaching. This didn't come very often; for some it was a once in a lifetime opportunity. Coach Price called out the girls' names; they came forward to receive a copy of the proclamation and to shake hands with the Mayor and Council.

#### **CITIZEN COMMENTS:**

Pedro Rincon, 1283 East 3125 North, expressed concerns with the speed of cars on Highway 193. He indicated that a sidewalk on the north side of Highway 193 was needed to allow citizens to walk to the intersection and safely cross to the Walmart area.

Mayor Stevenson said a sidewalk would be installed on the south side of Highway 193 this summer. He said the City would look at it.

Sherri Tatton, 1032 West 500 South, expressed concerns with parking near her commercial property on Gentile Street. She expressed concerns with a recent approval for a church in the adjacent property; there wasn't enough parking. Ms. Tatton indicated that she would not allow them to park on her property.

Sean Millard, 1218 North 2100 West, asked for a variance on his property. His neighbors had chickens, but his property was not large enough to allow for chickens under the current ordinance. Several of the neighbors' yards were also smaller than the minimum requirement of 10,000 square feet, but they still had chickens. Mr. Millard asked for a variance to allow chickens on his property.

Mayor Stevenson said he couldn't make any promises, but the City could look to see if the square footage should be decreased; Staff would look into it.

Loraine Raymond, 244 West 1525 North, indicated that she lived near Woodward Park. She expressed concerns with allowing dogs in parks; there wasn't sufficient width on the sidewalks to pass with a dog. Ms. Raymond suggested a separate dog park. She expressed concerns with how feedback was taken through the City's website relative to the survey taken to allow dogs in the parks. Ms. Raymond said very few people were involved in the study. She asked the Council to retain the current code to keep dogs out of parks.

Mayor Stevenson said this issue had been studied for some time by the City; they were trying to accommodate everyone.

Sandy Kellogg, 111 West 1525 North, said she had been expressing concerns since the dog trial began a year ago; the problem wasn't the dogs it was dog owners being irresponsible. Ms. Kellogg requested that Woodward Park be designated as a no dog park and suggested extending the dog trial for another year to allow for more feedback.

#### **CONSENT AGENDA:**

#### **AMENDMENT TO TITLE 4 OF THE LAYTON MUNICIPAL CODE – ORDINANCE 16-23**

Gary Crane, City Attorney, said Ordinance 16-23 would amend the City's Code relative to the GRAMA Act (Government Records Access Management Act). Every year the State Legislature updated the Act; this year three key changes were made: 1) coordination of local and State ordinance with Federal law; 2) protection of records relative to police officers and their families, and where they worked; and 3) changes were made to the appeals process. An appeals board would be established to hear appeals beyond the City Manager appeal. The board would consist of three individuals; one employee and two citizens, one that was familiar with

records. Gary said these changes would bring the City's Code in line with State law and Staff recommended approval.

Councilmember Freitag said considering the new change of protected information relative to public safety employees, he would recommend that public safety employees' names be redacted from salary information. He said many cities removed the names of public safety employees when providing salary information.

Gary said he would look into it.

**AMENDMENT TO TITLE 8 OF THE LAYTON MUNICIPAL CODE – PROVIDING FOR LIMITED USE OF SOME CITY PARKS FOR PERSONS AND THEIR LEASHED DOGS – ORDINANCE 16-18**

David Price, Parks and Recreation Director, said Ordinance 16-18 would amend Title 8 by providing for the limited use of some City parks for residents and their leashed dogs. On April 1, 2015, the City began a study of visitors' behavior if they were allowed to bring their leashed dogs into two of the City's parks; Sandridge Park and Chelsie Meadows Park. The study was advertised to the public by placing signage in each of the study parks. Pet cleanup stations were installed in each of these parks. Parameters of the study, and detailed information about how to leave comments about the study, were posted on the City's website for the entire year. The study was highlighted in the Standard Examiner on March 25, 2015, and the article encouraged citizens to comment on the City's website. The Standard Examiner article was re-posted to the City's Facebook page; 1,937 people reviewed the article with 69 people liking the post, 28 individuals shared the post, and 14 people took the time to leave a comment on Facebook. David said in May 2015, the City posted the article in the City's newsletter, and in May and June every resident in the City received the news and events article in their utility bills along with instructions about how citizens could leave a comment about the study. He said the City received 53 comments with 44 comments being positive to allowing citizens to bring their leashed dogs into the parks and 9 comments were opposed to the idea.

David said Staff recommended amending City Code to allow residents, in a limited number of City parks, to visit the parks with their leashed dogs. The amendment would allow leashed dogs into neighborhood parks, pocket parks and improved detention ponds. It would preserve the public's existing ability to bring their leashed dogs on the City's trails. No dogs would be allowed in Ellison Park or Commons Park. David said Staff had reported cleaner conditions at the two study parks and a higher percentage of people using leashes in these parks during the study. He said Staff recommended that the Council adopt Ordinance 16-18 approving the amendment to Title 8 of the Layton Municipal Code.

Councilmember Brown said through an earlier parks and recreation survey, one of the things most people wanted was to allow dogs in parks.

David said Staff was initially opposed to the idea because of problems with people not cleaning up after their animals. During this trial period of dogs being allowed in some of the parks, and with the waste stations, people were much better.

Mayor Stevenson asked David to comment about a separate dog park.

David said it would be very expensive. He said Staff had interviewed other cities and they had indicated that it had to be quite large to accommodate the animals. Most dog owners simply wanted to be able to walk with their animals; it was a smaller group that wanted to release their animals.

Councilmember Day asked if Woodward Park was different than the other parks relative to allowing dogs.

David said Woodward Park was very typical. In the past, people would just allow their dogs to run loose in the park.

Councilmember Brown said Woodward Park wasn't part of the study; any dogs there were there illegally.

This might help the situation at Woodward Park.

David said that was correct; when people were able to bring their dogs to the park legally, they followed the rules better and cleaned up after their animals.

**BID AWARD – ASSOCIATED BRIGHAM CONTRACTORS, INC. – NALDER AND NAYON STORM DRAIN PROJECT – RESOLUTION 16-37**

Terry Coburn, Public Works Director, said Resolution 16-37 authorized the execution of an agreement between Layton City and Associated Brigham Contractors for the Nalder and Nayon Storm Drain project. The project included the construction of approximately 2,400 linear feet of 15-inch to 19-inch storm pipe and other associated work items. The project would improve drainage and increase capacity for the areas surrounding Nalder Street and Nayon Street. Terry said two bids were received with Associated Brigham Contractors submitting the lowest responsive, responsible bid of \$381,038; the engineer's estimate was \$300,000. He said Staff recommended approval.

**BID AWARD – INTERMOUNTAIN SLURRY SEAL, INC. – CONSTRUCTION OF THE 2016-2017 MICROSURFACE – RESOLUTION 16-31**

Terry Coburn said Resolution 16-31 authorized the execution of an agreement with Intermountain Slurry Seal for the construction of the 2016-2017 microsurface project. The project included the placement of approximately 200,000 square yards of microsurface material and work associated with this type of construction. The contract would begin July 1, 2016, and would be for the 2017 fiscal year with two optional one-year extensions. The project would improve the condition, safety, and life of various roads throughout the City. Three bids were received, with Intermountain Slurry Seal submitting the lowest responsive, responsible bid of \$258,000; the engineer's estimate was \$445,000. Terry said Staff recommended approval.

**BID AWARD – PRECISION ASPHALT MAINTENANCE, INC. – CONSTRUCTION OF THE 2016-2017 STREET MASTIC SEAL – RESOLUTION 16-36**

Terry Coburn said Resolution 16-36 authorized the execution of an agreement with Precision Asphalt Maintenance for the construction of the 2016-2017 street mastic seal project. The project included the placement of approximately 127,000 square yards of frictional mastic seal material and work associated with this type of construction. The contract would begin July 1, 2016, and would be for the 2017 fiscal year. The project would improve the condition, safety, and life of various roads throughout the City. Two bids were received with Precision Asphalt Maintenance submitting the lowest responsive, responsible bid of \$169,735.50; the engineer's estimate was \$170,000. Terry said Staff recommended approval.

**BID AWARD – TOP JOB, LLC – CONSTRUCTION OF THE 2016-2017 CRACK SEAL – RESOLUTION 16-35**

Terry Coburn said Resolution 16-35 authorized the execution of an agreement with Top Job for the construction of the 2016-2017 crack seal project. The project included the installation of 35 tons of crack seal and other associated work items. The contract would begin July 1, 2016, and would be for the 2017 fiscal year. The project would improve the condition, safety, and life of various roads throughout the City. Two bids were received with Top Job submitting the lowest responsive, responsible bid in the amount of \$70,000; the engineer's estimate was \$91,000. Terry said Staff recommended approval.

**FINAL PLAT – MORGAN ESTATES SUBDIVISION – APPROXIMATELY 1675 EAST PONDEROSA STREET**

Peter Matson, City Planner, said this was final plat approval for Morgan Estates Subdivision located at approximately 1675 East Ponderosa Street. He said the property was located on the north side of the Holmes Creek drainage area. The property was surrounded by two subdivisions and contained .77 acres. The proposal was to divide the property into two lots to develop two homes. Improvements along the frontage of

the two lots were already in place as a result of development of the subdivisions surrounding the property. Peter said this subdivision had gone through the sensitive lands review process as outlined in the Layton Municipal Code. There were various geotechnical reports and studies conducted on the property in the past as part of the older subdivisions around the property, and geotechnical reports were conducted by the applicant's geotechnical consultant in 2014. Peter said a third party geotechnical engineer was hired by the City to review that initial report; and another geotechnical consultant was hired to review slope stability issues with the property. In the end, the City and the two geotechnical consultants agreed with the final recommendation for developing the two lot subdivision; primarily to make sure that when the property was prepared for building of the homes that slope stability issues were taken into account with fill material that was taken away from the property and material that was brought back onto the site.

Peter said the ground water in the area was proposed to be handled by a series of land drain systems that would move the groundwater away from the area where the homes would be built and into a drainage system at the bottom of the lots. He said the Planning Commission reviewed this final plat on April 26th and recommended approval based on the findings and recommendations of all the geotechnical findings that were incorporated into the approval. Peter said there would be a note on the plat of how the land drain would be handled. He said Staff supported the recommendation of the Planning Commission.

### **ROAD DEDICATION PLAT – SCOTT NEIL – 3200 WEST GORDON AVENUE**

Peter Matson said this was a road dedication plat submitted by Scott Neil for property located on the southeast corner of 3200 West and Gordon Avenue. With development of the property, a dedication of the road right of way to the City was required. Peter said the Planning Commission recommended approval and Staff supported that recommendation.

**MOTION:** Councilmember Brown moved to approve the Consent Agenda as presented. Councilmember Petro seconded the motion. Councilmember Freitag had stepped away from the meeting and was not part of the vote. Councilmembers Brown, Petro, Davis and Day voted unanimously to approve the Consent Agenda.

### **PUBLIC HEARINGS:**

### **DEVELOPMENT AGREEMENT, GENERAL PLAN AMENDMENT AND REZONE REQUEST – 193 ASSOCIATES, LLC/ANDERSON HOLDINGS, LLC – B-RP (BUSINESS RESEARCH PARK) TO R-1-8 AND R-1-6 (LOW DENSITY RESIDENTIAL) – APPROXIMATELY 1374 EAST 3100 NORTH – RESOLUTION 16-24 AND ORDINANCE 16-15, 16-13, AND 16-14**

Peter Matson said this was a development agreement and a General Plan Amendment request in conjunction with a rezone request for property located at approximately 1374 East 3100 North. He identified the property on a map. Peter said currently the General Plan designated the property as Business Research Park and the 31.45 acres was zoned B-RP.

Peter said the request was to rezone 12.86 acres to R-1-6; 11.85 acres to R-1-8; and leave 6.74 acres as B-RP. He said the development agreement mainly addressed zoning on the property and utilities for the property. Peter displayed a conceptual plan of the proposed development. He said along with development of the property, Church Street would be extended and there would be an east/west connection to 1700 East. Either the Church Street extension or the east/west connection would be required before the residential development could occur. Peter said the Planning Commission recommended approval and Staff supported that recommendation.

**Mayor Stevenson opened the meeting for public input.** None was given.

**MOTION:** Councilmember Freitag moved to close the public hearing and approve the development agreement, General Plan amendment, and rezone request as presented, Resolution 16-24 and Ordinances 16-15, 16-13, and 16-14. Councilmember Day seconded the motion, which passed unanimously.

**LAYTON CITY PARKS, RECREATION, TRAILS, OPEN SPACE AND CULTURAL FACILITIES  
MASTER PLAN – ORDINANCE 16-17**

David Price said Ordinance 16-17 would amend the City's General Plan by adopting the Parks, Recreation, Trails, Open Space and Cultural Facilities Master Plan. On April 26th the Planning Commission unanimously recommended that the Council adopt Ordinance 16-17.

David indicated that Mr. Mark Vlasic with Landmark Design had completed the Study. David thanked JoEllen Grandy and Ryan Bankhead for their work in completing the project.

Councilmember Freitag asked if this was the first Plan of this type for the City.

David said no; the first one was done about 30 years ago, and was updated in 1995, but that Plan only included parks and trails.

Mr. Vlasic said they had been working on this for a year and three months; the last Plan was done in 1982. He indicated that Staff had done a lot of work on this as well. Mr. Vlasic said Layton was a unique community with its focus on cultural arts. He indicated that the Plan looked forward to 2050.

Mr. Vlasic reviewed information included in the Plan. He indicated that they had identified gap areas in the City relative to park availability; there were seven small gaps and one major gap in the southwest area of the City. The City would need to acquire property in that area for a future park.

Mr. Vlasic said the City was in very good condition relative to parks and having property already purchased for future parks, with the exception of the southwest area, which needed an additional 10 acres of property for a park. To meet future needs to 2025 the City would only need to purchase an additional 5 acres of property. Mr. Vlasic reviewed information about trails in the City and recommended being opportunistic in acquiring trail property.

Councilmember Freitag said on the shared trail with the road, had they identified those locations or just identified the amount that was needed.

Mr. Vlasic said they had identified those on the map.

Mr. Vlasic said they recommended getting away from smaller neighborhood parks. He said the City had a great relationship with the School District in shared use of facilities. They would recommend maintaining that relationship and developing additional public and private partners to meet future needs. Mr. Vlasic said the arts culture was fantastic in Layton and should be expanded and broadened.

Mayor Stevenson said the City did have Arts in the Park and free Sunday programs; and there were some art programs in the schools. He mentioned the high school art gallery at the Conference Center.

Mr. Vlasic said all of those things were great; but it could be expanded into the future. He said the City had received national awards for things that were being done and they would recommend continuing to develop that. Layton's was the best they had seen in the State.

Mr. Vlasic reviewed funding needs into the future and indicated that there was a lot more detail in the Plan.

Councilmember Freitag asked where facilities like Surf 'n Swim or a municipal pool fit into the Plan.

Mr. Vlasic said they looked at an eventual need for another pool facility in the City. For any major facility, they recommended doing a lot of planning; pool facilities required a lot of money and the City would need to gauge the residents' willingness to pay for it. Typically they were funded through bonding. He said he would recommend hiring a professional to determine the needs.

Councilmember Freitag said setting the bond issue aside, the City had an aging facility that was used for recreation, and by the schools for some athletics. He asked if there were experts that could look at the needs in the City for a pool.

Mr. Vlastic said absolutely; the City would want experts involved that could be objective. He said some national groups might provide the research for free.

Councilmember Freitag asked what trends they were seeing relative to pools.

Mr. Vlastic said it would depend on the community; most communities were about providing recreational opportunities and not something for elite users. The key was to get as many users as possible to the facility.

**Mayor Stevenson opened the meeting for public input.** None was given.

**MOTION:** Councilmember Petro moved to close the public hearing and approve the Layton City Parks, Recreation, Trails, Open Space and Cultural Facilities Master Plan as presented, Ordinance 16-17. Councilmember Brown seconded the motion, which passed unanimously.

**The meeting adjourned at 8:35 p.m.**

---

Thieda Wellman, City Recorder